



S/N 09/837602

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John H. Petrini et al.

Examiner: Misook Yu

Serial No.: 09/837602

Group Art Unit: 1642

Filed: April 18, 2001

Docket: 800.019US2

Title: DNA ENCODING A DNA REPAIR PROTEIN

20
10-2-03

NOTICE OF APPEAL FROM THE DECISION OF THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

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MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SEP 25 2003

TECH CENTER 1600/2900

In compliance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 17, 2003, of the Examiner rejecting claims 1, 2, 4 and 20-28 of the above-identified patent application.

No extension of time is necessary to respond to the Examiner's rejection. A Three-Month Extension of Time was filed on September 12, 2003 with the Supplemental Amendment.

Our check in the amount of \$160.00 is enclosed to pay the Notice of Appeal fee under 37 C.F.R. § 1.17(b). Please charge any required additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JOHN H. PETRINI ET AL.

By Applicants' Attorneys,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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Date

September 17, 2003

By

Janet E. Embretson

Reg. No. 39,665

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 17, 2003.

Name

Dawn M. Poole

Signature

Dawn M. Poole

09/24/2003 TTR001 09000027 09837602 160.00 00 01 FC:2401

AF/1642



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John H. Petrini et al.

Title: DNA ENCODING A DNA REPAIR PROTEIN

Docket No.: 800.019US2

Filed: April 18, 2001

Examiner: Misook Yu

Customer No.: 21186

Serial No.: 09/837602

Due Date: June 17, 2003

Group Art Unit: 1642

Confirmation No.: 3378

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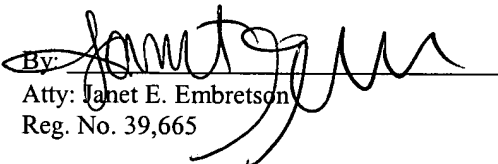
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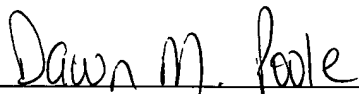
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If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17 day of September, 2003.


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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
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Customer Number 21186